



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/941,402	09/30/97	GERVASI	W 2864

RAJIV P PATEL
FENWICK 7 WEST
TWO PALO ALTO SQUARE
SUITE 700
PALO ALTO CA 94306

LM01/1204

EXAMINER	
MASHAAL, M	
ART UNIT	PAPER NUMBER
2782	4
DATE MAILED:	12/04/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No. 08/941,402	Applicant(s) Willim M Gervasi
Examiner Mohamed Mashaal	Group Art Unit 2782

Responsive to communication(s) filed on Feb 17, 1998

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

Claim(s) 1-7 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

Claim(s) _____ is/are allowed.

Claim(s) 1-7 is/are rejected.

Claim(s) _____ is/are objected to.

Claims _____ are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is approved disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) _____.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2782

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claim 1-7 are rejected under 35 U.S.C. 102(e) as being unpatentable over Doi et al.

Patent no:5,737,589 .

3. Claim 1, a data capture system for latching an input data signal [abstract, fig 7-10], comprising :

- a first data latch, [fig-7(105)],
- a second data latch, [fig-7(501)],
- a third data latch, [fig-7(502)],
- a first data comparator,[fig-7(506)],
- a second data comparator, [fig-7(507)],
- a delay controller, [fig-7(508)].

4. Claim 2 , comprising :

Art Unit: 2782

- a first delay element, [fig-7(107-511-1)],
- a second delay element, [fig-7(107-511-2)],
- a third delay element, [fig-7(107-512-3)].

5. Claim 3, the delay controller[fig-7(508)],comprising:

- a threshold register, [fig-9(904)] ,
- a counter ,[fig-9(901)] ,
- a comparator, [fig-9(902)].

6. Claim 4, the delay controller ,comprises :

- an OR latch for delay more signal ,[fig-10(104)].

7. Claim 5, delay controller , comprising:

- an OR latch for delay less signal ,[fig-10(105)].

8. Claim 6, a method for ensuring data capture or an input signal comprising :

- receiving an input data signal at a first, a second and a third latch[fig-7(117)],
- receiving a first, a second and a third data strobe signal at a first, a second and third latch [fig-7(120)],
- latching the input data signal [fig-7(503-504-505)],
- comparing [fig-7(506)] ,
- adjusting to delay more [fig-7(513)],
- comparing [fig-7(507)],
- adjusting to delay less [fig-7(514)],

Art Unit: 2782

9. Claim 7 , comprising :

- receiving the delay more signal or delay less signal ,[fig-9(901)],
- comparing the counter value with a threshold value [fig-9(902)],
- generating a qualified delay more signal [fig-9(123)],
- generating a qualified delay less signal [fig-9(123)].

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent:	Issued:	Inventor:	Filed:
5,633,899	5/27/1997	Fiedler et al.	2/2/1996
5,684,837	11/4/1997	Chen	3/6/1996
5,721,890	2/24/1998	Langendorf.	5/23/1996

4. Any inquiry concerning this communication should be directed to Mohamed Mashaal, whose telephone number is (703) 305-0751 or via E-mail, *Mohamed.Mashaal@uspto.gov*. The Examiner can normally be reached Monday through Friday from 8:00 AM to 4:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Thomas C. Lee, can be reached at (703) 305-9717.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Art Unit: 2782

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

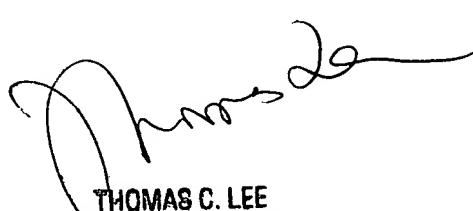
(703) 308-5359 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor
(Receptionist).

Mohamed Mashaal,

11/27/1998 .


THOMAS C. LEE
SUPERVISORY PATENT EXAMINER
GROUP 2700